

06-21-01 A

Please type a plus sign (+) inside this box → 

PTO/SB/05 (12/97)

Approved for use through 09/30/00. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	ITWO:0004 (12984)	Total Pages	53
<i>First Named Inventor or Application Identifier</i>			
Kenneth LeVey			
Express Mail Label No.		EL 652 335 902 US	

<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent application contents.		<b>ADDRESS TO:</b> Assistant Commissioner for Patents Box Patent Application Washington, DC 20231	
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (Submit an original, and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Specification <b>Total Pages 23</b> (preferred arrangement set forth below)</p> <ul style="list-style-type: none"> <li>-Descriptive</li> <li>-Cross References to Related Application</li> <li>-Statement Regarding Fed sponsored R &amp; D</li> <li>-Reference to Microfiche Appendix</li> <li>-Background of the Invention</li> <li>-Brief Summary of the Invention</li> <li>-Brief Description of the Drawings (if filed)</li> <li>-Detailed Description</li> <li>-Claim(s)</li> <li>-Abstract of the Disclosure</li> </ul> <p>3. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) <b>Total Sheets 4</b> <b>Total Pages 12</b></p> <p>4. Oath or Declaration       <ul style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input type="checkbox"/> Copy from a prior application (37CFR 1.63(d)) (for continuation/divisional with Box 17 completed) <i>[Note Box 5 below]</i> <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</li> </ul> </li> </ul> </p> <p>5. <input type="checkbox"/> Incorporation By Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</p>		<p>6. <input type="checkbox"/> Microfiche Computer Program (Appendix)</p> <p>7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)       <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Computer Readable Copy</li> <li>b. <input type="checkbox"/> Paper Copy (identical to computer copy)</li> <li>c. <input type="checkbox"/> Statement verifying identity of above copies</li> </ul> </p> <p>8. <input checked="" type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>9. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input checked="" type="checkbox"/> Power of Attorney (where there is an assignee)</p> <p>10. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>12. <input type="checkbox"/> Preliminary Amendment</p> <p>13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)</p> <p>14. <input type="checkbox"/> Small Entity <input type="checkbox"/> Statement filed in prior application Statement(s) Status still proper and desired</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input checked="" type="checkbox"/> Other PTO-2038</p>	
17 <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional		<input type="checkbox"/> Continuation-in-part (CIP) of prior application No: _____	

**18. CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number or Bar Code Label	<input type="checkbox"/> Correspondence address below  (Insert Customer No. or Attach bar code label here)
<p>NAME <input type="text" value="Patrick S. Yoder"/> <input type="text" value="Fletcher, Yoder &amp; Van Someren"/></p> <p>ADDRESS <input type="text" value="P.O. Box 692289"/></p> <p>CITY <input type="text" value="Houston"/> STATE <input type="text" value="Texas"/> ZIP CODE <input type="text" value="77269-2289"/></p> <p>COUNTRY <input type="text" value="USA"/> TELEPHONE <input type="text" value="(281) 970-4545"/> Fax <input type="text" value="(281) 970-4503"/></p>	

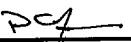
Burden Hour Statement: This form is estimated to take 0 2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

## FEE TRANSMITTAL

		<b>Complete if Known</b>			
		Application Number		Unassigned	
		Filing Date		Herewith	
		First Named Inventor		Kenneth LeVey	
		Group Art Unit		Unassigned	
		Examiner Name		Unassigned	
TOTAL AMOUNT OF PAYMENT		(\$ 1,950.00)		Attorney Docket Number	
				ITWO:0004/YOD (12984)	

<b>METHOD OF PAYMENT</b> (check one)		<b>FEES CALCULATION (continued)</b>																																																																																																																																																																																							
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: <b>06-1315/ITWO:0004/YOD</b>		<b>3. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>—</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing or cover sheet.</td><td>—</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td>—</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td>—</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td>—</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td>—</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for response within first month</td><td>—</td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for response within second month</td><td>—</td></tr> <tr><td>117</td><td>950</td><td>217</td><td>475</td><td>Extension for response within third month</td><td>—</td></tr> <tr><td>118</td><td>1,570</td><td>218</td><td>755</td><td>Extension for response within fourth month</td><td>—</td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td>—</td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td>—</td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td>—</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td>—</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive unavoidably abandoned application</td><td>—</td></tr> <tr><td>141</td><td>1,320</td><td>241</td><td>660</td><td>Petition to revive unintentionally abandoned application</td><td>—</td></tr> <tr><td>142</td><td>1,320</td><td>242</td><td>660</td><td>Utility issue fee (or reissue)</td><td>—</td></tr> <tr><td>143</td><td>450</td><td>243</td><td>225</td><td>Design issue fee</td><td>—</td></tr> <tr><td>144</td><td>670</td><td>244</td><td>335</td><td>Plant issue fee</td><td>—</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td>—</td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td>—</td></tr> <tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of Information Disclosure Stmt</td><td>—</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40.00</td></tr> <tr><td>146</td><td>790</td><td>246</td><td>395</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td>—</td></tr> <tr><td>149</td><td>790</td><td>249</td><td>395</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td>—</td></tr> <tr> <td colspan="2"></td> <td colspan="2">Other fee (specify)</td> <td colspan="2">—</td> </tr> <tr> <td colspan="2"></td> <td colspan="2">Other fee (specify)</td> <td colspan="2">—</td> </tr> <tr> <td colspan="2"></td> <td colspan="4" style="text-align: right;"><b>SUBTOTAL (3)</b> (\$ 40.00)</td> </tr> <tr> <td colspan="6" style="text-align: center;">* Reduced by Basic Filing Fee Paid</td> </tr> </tbody> </table>				Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	—	127	50	227	25	Surcharge - late provisional filing or cover sheet.	—	139	130	139	130	Non-English specification	—	147	2,520	147	2,520	For filing a request for reexamination	—	112	920*	112	920*	Requesting publication of SIR prior to Examiner action	—	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	—	115	110	215	55	Extension for response within first month	—	116	400	216	200	Extension for response within second month	—	117	950	217	475	Extension for response within third month	—	118	1,570	218	755	Extension for response within fourth month	—	119	310	219	155	Notice of Appeal	—	120	310	220	155	Filing a brief in support of an appeal	—	121	270	221	135	Request for oral hearing	—	138	1,510	138	1,510	Petition to institute a public use proceeding	—	140	110	240	55	Petition to revive unavoidably abandoned application	—	141	1,320	241	660	Petition to revive unintentionally abandoned application	—	142	1,320	242	660	Utility issue fee (or reissue)	—	143	450	243	225	Design issue fee	—	144	670	244	335	Plant issue fee	—	122	130	122	130	Petitions to the Commissioner	—	123	50	123	50	Petitions related to provisional applications	—	126	240	126	240	Submission of Information Disclosure Stmt	—	581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00	146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	—	149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	—			Other fee (specify)		—				Other fee (specify)		—				<b>SUBTOTAL (3)</b> (\$ 40.00)				* Reduced by Basic Filing Fee Paid					
Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																				
105	130	205	65	Surcharge - late filing fee or oath	—																																																																																																																																																																																				
127	50	227	25	Surcharge - late provisional filing or cover sheet.	—																																																																																																																																																																																				
139	130	139	130	Non-English specification	—																																																																																																																																																																																				
147	2,520	147	2,520	For filing a request for reexamination	—																																																																																																																																																																																				
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	—																																																																																																																																																																																				
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	—																																																																																																																																																																																				
115	110	215	55	Extension for response within first month	—																																																																																																																																																																																				
116	400	216	200	Extension for response within second month	—																																																																																																																																																																																				
117	950	217	475	Extension for response within third month	—																																																																																																																																																																																				
118	1,570	218	755	Extension for response within fourth month	—																																																																																																																																																																																				
119	310	219	155	Notice of Appeal	—																																																																																																																																																																																				
120	310	220	155	Filing a brief in support of an appeal	—																																																																																																																																																																																				
121	270	221	135	Request for oral hearing	—																																																																																																																																																																																				
138	1,510	138	1,510	Petition to institute a public use proceeding	—																																																																																																																																																																																				
140	110	240	55	Petition to revive unavoidably abandoned application	—																																																																																																																																																																																				
141	1,320	241	660	Petition to revive unintentionally abandoned application	—																																																																																																																																																																																				
142	1,320	242	660	Utility issue fee (or reissue)	—																																																																																																																																																																																				
143	450	243	225	Design issue fee	—																																																																																																																																																																																				
144	670	244	335	Plant issue fee	—																																																																																																																																																																																				
122	130	122	130	Petitions to the Commissioner	—																																																																																																																																																																																				
123	50	123	50	Petitions related to provisional applications	—																																																																																																																																																																																				
126	240	126	240	Submission of Information Disclosure Stmt	—																																																																																																																																																																																				
581	40	581	40	Recording each patent assignment per property (times number of properties)	40.00																																																																																																																																																																																				
146	790	246	395	Filing a submission after final rejection (37 CFR 1.129(a))	—																																																																																																																																																																																				
149	790	249	395	For each additional invention to be examined (37 CFR 1.129(b))	—																																																																																																																																																																																				
		Other fee (specify)		—																																																																																																																																																																																					
		Other fee (specify)		—																																																																																																																																																																																					
		<b>SUBTOTAL (3)</b> (\$ 40.00)																																																																																																																																																																																							
* Reduced by Basic Filing Fee Paid																																																																																																																																																																																									
<b>FEE CALCULATION</b> (fees effective 10/01/96)																																																																																																																																																																																									
<b>1. FILING FEE</b> <table border="1"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>101</td><td>710</td><td>201</td><td>355</td><td>Utility filing fee</td><td><u>710.00</u></td></tr> <tr><td>106</td><td>330</td><td>206</td><td>165</td><td>Design filing fee</td><td>—</td></tr> <tr><td>107</td><td>540</td><td>207</td><td>270</td><td>Plant filing fee</td><td>—</td></tr> <tr><td>108</td><td>790</td><td>208</td><td>395</td><td>Reissue filing fee</td><td>—</td></tr> <tr><td>114</td><td>150</td><td>214</td><td>75</td><td>Provisional filing fee</td><td>—</td></tr> <tr> <td colspan="4"></td> <td><b>SUBTOTAL (1)</b></td> <td><b>(\$ 710.00)</b></td> </tr> </tbody> </table>						Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	101	710	201	355	Utility filing fee	<u>710.00</u>	106	330	206	165	Design filing fee	—	107	540	207	270	Plant filing fee	—	108	790	208	395	Reissue filing fee	—	114	150	214	75	Provisional filing fee	—					<b>SUBTOTAL (1)</b>	<b>(\$ 710.00)</b>																																																																																																																																						
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																				
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																						
101	710	201	355	Utility filing fee	<u>710.00</u>																																																																																																																																																																																				
106	330	206	165	Design filing fee	—																																																																																																																																																																																				
107	540	207	270	Plant filing fee	—																																																																																																																																																																																				
108	790	208	395	Reissue filing fee	—																																																																																																																																																																																				
114	150	214	75	Provisional filing fee	—																																																																																																																																																																																				
				<b>SUBTOTAL (1)</b>	<b>(\$ 710.00)</b>																																																																																																																																																																																				
<b>2. CLAIMS</b> <table border="1"> <thead> <tr> <th colspan="2"></th> <th>Extra</th> <th>Fee from below</th> <th colspan="2">Fee Paid</th> </tr> <tr> <th colspan="2"></th> <th></th> <th></th> <th colspan="2"></th> </tr> </thead> <tbody> <tr> <td colspan="2">Total Claims 60 -20 =</td> <td><u>40</u></td> <td><u>X</u> <u>18</u> = <u>720.00</u></td> <td colspan="2"></td> </tr> <tr> <td colspan="2">Independent 9 - 3 =</td> <td><u>6</u></td> <td><u>X</u> <u>80</u> = <u>480.00</u></td> <td colspan="2"></td> </tr> <tr> <td colspan="2">Multiple Dependent Claims</td> <td><u>0</u></td> <td><u>X</u> <u>0</u> = <u>0</u></td> <td colspan="2"></td> </tr> </tbody> </table>								Extra	Fee from below	Fee Paid								Total Claims 60 -20 =		<u>40</u>	<u>X</u> <u>18</u> = <u>720.00</u>			Independent 9 - 3 =		<u>6</u>	<u>X</u> <u>80</u> = <u>480.00</u>			Multiple Dependent Claims		<u>0</u>	<u>X</u> <u>0</u> = <u>0</u>																																																																																																																																																								
		Extra	Fee from below	Fee Paid																																																																																																																																																																																					
Total Claims 60 -20 =		<u>40</u>	<u>X</u> <u>18</u> = <u>720.00</u>																																																																																																																																																																																						
Independent 9 - 3 =		<u>6</u>	<u>X</u> <u>80</u> = <u>480.00</u>																																																																																																																																																																																						
Multiple Dependent Claims		<u>0</u>	<u>X</u> <u>0</u> = <u>0</u>																																																																																																																																																																																						
<b>Large Entity</b> <b>Small Entity</b> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th colspan="2">Fee Description</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td colspan="2">Claims in excess of 20</td></tr> <tr><td>102</td><td>80</td><td>202</td><td>40</td><td colspan="2">Independent claims in excess of 3</td></tr> <tr><td>104</td><td>270</td><td>204</td><td>135</td><td colspan="2">Multiple dependent claim</td></tr> <tr><td>109</td><td>82</td><td>209</td><td>41</td><td colspan="2">Reissue independent claims over original patent</td></tr> <tr><td>110</td><td>22</td><td>210</td><td>11</td><td colspan="2">Reissue claims in excess of 20 and over original patent</td></tr> <tr> <td colspan="4"></td> <td><b>SUBTOTAL (2)</b></td> <td><b>(\$ 1,200.00)</b></td> </tr> </tbody> </table>						Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description		103	18	203	9	Claims in excess of 20		102	80	202	40	Independent claims in excess of 3		104	270	204	135	Multiple dependent claim		109	82	209	41	Reissue independent claims over original patent		110	22	210	11	Reissue claims in excess of 20 and over original patent						<b>SUBTOTAL (2)</b>	<b>(\$ 1,200.00)</b>																																																																																																																																										
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description																																																																																																																																																																																					
103	18	203	9	Claims in excess of 20																																																																																																																																																																																					
102	80	202	40	Independent claims in excess of 3																																																																																																																																																																																					
104	270	204	135	Multiple dependent claim																																																																																																																																																																																					
109	82	209	41	Reissue independent claims over original patent																																																																																																																																																																																					
110	22	210	11	Reissue claims in excess of 20 and over original patent																																																																																																																																																																																					
				<b>SUBTOTAL (2)</b>	<b>(\$ 1,200.00)</b>																																																																																																																																																																																				

SUBMITTED BY		Complete (if applicable)			
Typed or Printed Name	Patrick S. Yoder		Reg. Number	37,479	
Signature			Date	June 19, 2001	Deposit Acct. User ID